

FILED

STATE OF MINNESOTA

2013 OCT 11 PM 4:08

DISTRICT COURT

COUNTY OF HENNEPIN

BY _____ DEPUTY
HENN CO. DISTRICT
COURT ADMINISTRATOR

FOURTH JUDICIAL DISTRICT

Standing Order re Pre-Appearance Release Procedures and Bail Schedule

1. Arrests without Warrant - Misdemeanors

When a person is arrested without a warrant for a misdemeanor or ordinance violation(s), a citation shall be issued in lieu of booking and the accused released without bail, unless it reasonably appears that detention is necessary to prevent bodily harm to the accused or another, or to prevent further criminal conduct, or that there is a substantial likelihood that the accused will fail to respond to a citation. Minn. R. Crim. P. 6.01.

Any person arrested on a payable offense shall not be booked, but shall be issued a citation by the arresting officer unless unusual circumstances exist and detention is authorized pursuant to Minnesota Rules of Criminal Procedure Rule 6.

Before a person is booked at the Public Safety Facility on a misdemeanor charge, as required by Minnesota Rules of Criminal Procedure Rule 6.01, Subd. 1, the arresting officer must complete a form stating in detail the reasons for the decision to detain rather than to issue a citation pursuant to Minnesota Rules of Criminal Procedure Rule 6.01.

All persons booked on tab charges will have bail set according to the attached bail schedule. Persons arrested for offenses for which bail is required may post bail and receive a court date, or may be released by Department of Community Corrections and Rehabilitation (DOCCR) if eligible, or will be held for court.

2. Bail Schedule

When a judge has set bail on a specific case or warrant, that bail setting shall be used.

When a judge has ordered that a person be held without bail (HWB), that person shall be held for appearance at the next available session of court.

When a person is being held on "probable cause," the person shall be held without bail unless a judge has set bail or ordered the person's release, or a prosecutor has ordered the person's release, or the arresting agency has ordered the person's release or the applicable time periods to file a criminal charge have expired.

The Department of Community Corrections and Rehabilitation (DOCCR) may conditionally release persons pending first court appearance according to DOCCR eligibility

guidelines. Guidelines shall be reviewed on an annual basis on or about July 1st with the Fourth Judicial District Criminal Presiding Judge for the Presiding Judge's advice and consent.

In all other cases, the bail schedule set out below shall be used. The bail schedule shall be used in all holding and jail facilities for defendants charged with offenses that have been filed or will be filed in the Fourth Judicial District Court.

MISDEMEANORS

\$300.00 surety bond or \$78.00 cash

- Aggressive Begging
- All Unspecified Criminal Misdemeanor Violations
- Assault 5th Degree
- Contempt of Court
- Damage to Property
- Disorderly Conduct/Breach of Peace
- Discharge Firearm in City
- False Information
- Indecent Conduct
- Indecent Exposure
- Loitering
- Obstruct Legal Process/Arrest
- Prostitution
- Receive Stolen Property
- Tampering
- Theft
- Trespassing
- Weapons Violation

- Any other misdemeanor charge not listed in this bail schedule

\$2400.00 (surety bond or cash) and signed Conditional Release Order\No Contact with Victim

- Domestic Assault
- Harassment
- Stalking
- Violation of Harassment Restraining Order
- Violation of Order for Protection
- Violation of a Domestic Abuse No Contact Order

GROSS MISDEMEANORS

\$500.00 surety bond or \$100.00 cash

- Check Forgery
- Contempt of Court
- Intent to Evade Motor Vehicle Registration Tax
- Theft

\$1000.00 surety bond or \$150.00 cash

- Indecent Exposure
- Liquor Regulation Violations
- Operate Disorderly House
- Prostitution

- Any other gross misdemeanor charges not listed in this bail schedule

\$2000.00 surety bond or \$300.00 cash

- Assault (non-domestic)
- Driving After Cancellation – Inimical to Public Safety (IPS) (Gross)
- Leaving the Scene of an Accident
- Weapons

\$2400.00 (surety bond or cash) and signed Conditional Release Order\No Contact with Victim

- Interference with a 911 Call

\$3000.00 (surety bond or cash)

- 3rd Degree DWI (except in cases when \$12,000 bail is required; i.e., only in cases where defendant is 19 years old or more and 3rd degree status based on prior DWI within 10 years or test refusal)

\$5000.00 (surety bond or cash) and signed Conditional Release Order\No Contact with Victim

- Domestic Assault
- Harassment
- Stalking
- Violation of Order for Protection
- Violation of Harassment Restraining Order
- Violation of a Domestic Abuse No Contact Order

\$12,000.00 (surety bond or cash)

- 2nd Degree DWI
- 3rd Degree DWI if any of the following exist: 1) defendant under 19 years old, 2) defendant had an alcohol concentration of .20 or more, 3) child under the age of 16 in the vehicle, or 4) defendant's driver's license status is canceled as inimical to public safety
- 4th Degree DWI if defendant's driver's license status is canceled as inimical to public safety.

3. Exception for Release Required by Medical Necessity

Notwithstanding any of the above, if determined to be medically necessary and consistent with public safety, the Sheriff's Office may release the accused without bail. The accused will be given notice of any scheduled court appearance date.

Pre-trial detainees booked at the Jail in need of medical treatment may be discharged to the Hennepin County Medical Center for treatment or medical intervention at the discretion of the Sheriff's Office if consistent with public safety.

BY THE COURT:



Digitally signed by Peter A. Cahill
DN: cn=Peter A. Cahill, o=Minnesota Judicial
Branch, ou=Fourth Judicial District Court,
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Date: 2013.10.03 11:17:02 -05'00'
Adobe Acrobat version: 11.0.4

DATED: October 3, 2013

Peter A. Cahill
Chief Judge of District Court